



2014 Compendium

What is the Superintendent's Compendium?



Superintendent's Compendium is the summary of trail specific rules implemented under the discretionary authority of the Superintendent. It serves as public notice with an opportunity for public comments, identified areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on those public use and resource protection regulations that pertain to the specific administration of the trail. It does not contain those regulations found in 36 Code of Federal Regulation (CFR) and other United States Codes (U.S.C.) and CFR Titles which are enforced without further elaboration at the trail level.

The regulations contained in 36 CFR 1-7 are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the trail and to protect visitors and property within the trail. Parts 1 through 6 are general regulations applicable to all areas of the National Park System, and Part 7 contains special regulation specific to individual trail. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific trail resource or activity, trail plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) Closures and Public Use Limits provide the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by this Section, however, requires the Superintendent to comply with the Administrative Procedures Act (5 U.S.C. Section 551) which requires public notice on actions with major impact on visitor use patterns, park/trail resources, or those that are highly controversial in nature.

Another example is 36 CFR 1.6 Permits, which allows the Superintendent to require a permit for certain uses and activities in the trail. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the trail.

This compendium should be used in conjunction with 36 CFR, Sections 1-7 to more fully understand the regulations governing the use and enjoyment of all units of the National Park System. 36 CFR can be read online at <http://www.access.gpo.gov/nara/cfr/>

Superintendent's Compendium
for Selma to Montgomery
National Historic Trail



National Park Service
U.S. Department of the Interior

The Selma to Montgomery National Historic Trail was established by Congress to commemorate the events, people, and route of the Selma to Montgomery Voting Rights March of 1965 as a reminder of the right and responsibility of all Americans to fully participate in the election process, and that we must be ever vigilant in protecting our right to vote.

Lowndes Interpretive Center

7002 US Highway 80
P.O. Box 595
Hayneville, Alabama 36040
334-877-1984 Phone
334-877-1985 FAX

Selma Interpretive Center

2 Broad Street
Selma, Alabama 36701
334-872-0509 Phone
334-872-2645 FAX

Hours

Monday – Saturday
9:00 AM – 4:30 PM

Website

www.nps.gov/semo

Facebook

www.facebook.com/SelmaToMontgomeryNationalHistoricTrail


A Compendium of Designations, Closures, Request Requirements and Other Restrictions imposed under the discretionary authority of the Park/Trail Superintendent.

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations (“36 CFR”), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all persons entering, using, visiting, or otherwise within: (1) The boundaries of federally owned lands administered by Selma to Montgomery National Historic Trail (Historic Trail); (2) The boundaries of lands administered by Selma to Montgomery National Historic Trail for public-use purposes pursuant to the terms of a written instrument; Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

In additions to these regulations, the following are also provided:

- Written determinations that explain the reasoning behind the Superintendent's use of discretionary authority are required by §1.5 (c) and appear in this document as italicized print.
- §1.6(f) states that a list must be maintained of those activities that require a permit. That list appears in this document under §1.6.
- As required by §1.7 (b), these regulations, permit requirements, and written determinations shall be updated annually and made available to the public upon request.

Inquiries regarding National Park Service regulations, discretionary actions, requests for permits and other comments may be directed to the Site Manager.


Sandra L. Taylor
Superintendent

June 2014



36 CFR §1.5 – Visiting hours, public use limits, closures, and area designations for specific use or activities

Lowndes Interpretive Center visiting hours are Monday through Saturday, 9:00 a.m. - 4:30 p.m. unless otherwise posted. Museum, theater and bookstore are open for public visitation Monday through Saturday from 9:00 a.m. – 4:30 p.m. Closed on Sundays, New Year's Day, Thanksgiving Day and Christmas Day.

The grounds and trailing areas are open daily for public visitation from sunrise to sunset unless designated as a closure area, posted closed due to an emergency or posted closed due to a construction or safety hazard.

The Trail headquarters hours, located at the Lowndes Interpretive Center, are from 8:00 a.m. – 4:30 p.m. unless otherwise posted. The Superintendent may close Trail facilities due to severe weather on an as needed basis.

Selma Interpretive Center visiting hours are Monday through Saturday, 9:00 a.m. - 4:30 p.m. unless otherwise posted. Museum and bookstore are open for public visitation Monday through Saturday from 9:00 a.m. – 4:30 p.m. Closed on Sundays, New Year's Day, Thanksgiving Day and Christmas Day.

The maintenance areas are closed to public use. Unattended parking is not allowed within the park from dusk to dawn except under permit issued by the National Park Service. The Interpretive Center is closed to skateboarding, skating; use of remote-controlled toys, camping, consumption of alcoholic beverages in public areas and the possession of an open container of an alcoholic beverage in public areas.

Launching, landing, or operation an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Selma to Montgomery National Historic Trail is prohibited.

Use of electric wheelchairs and golf carts are allowed for individuals with mobility impairments. Motorized lawn mowing equipment is permitted in the closed areas to perform regular Trail maintenance.

The following are prohibited within the Interpretive Center exhibit area:

- Eating, drinking or possession of food and beverages
- Use of cellular phones, pagers and similar electronic devices
- Chewing gum
- Chewing tobacco products
- Smoking
- Firearms.

Eating, drinking or possession of food and beverages within the museum is only permitted within the administrative area, multipurpose room, break room or by permit in other areas.

The following areas are closed to all visitor use except by permit:

- Archives space
- Mechanical rooms, equipment rooms, storage rooms and closets
- Offices
- Roof space
- Archives space
- Interpretive Center book store storage area

The following areas are closed to all visitor use except by permit:

Operating an audio device, such as a portable stereo, radio, television set, tape deck or musical instrument within the Interpretive Center and on the grounds (under ownership of NPS) is prohibited except with a permit. Use of such devices is considered to be incompatible with the mission.

Passenger busses must shut down their engines when not underway within the Interpretive Center parking areas. The idling of bus engines adds unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors of the peace and tranquility of the Trail.

Permits

Pursuant to the provisions of 36 CFR 1.6(f), the following is a compilation of those activities for which a permit from the National Park Service is required. Permits are issued by the Superintendent, and are subject to the requirements of the general regulations, and as specified in each permit. As stated in 36 CFR 1.6(f), engaging in these activities without a permit or violation of the terms and conditions of a permit is prohibited.

§1.5(d) The following activities related to Public Use Limits:

- Possession or consumption of food and beverages in the Interpretive Center outside of the administrative areas and classroom
- Use of audio device, such as a portable stereo, radio, television set, tape deck or musical instrument in restricted areas
- Public Use of the archives space, mechanical rooms, equipment rooms, storage rooms and closets, offices, roof space, and museum store storage area.

§2.4(d) Carrying or possessing a weapon, trap, or net except as provided elsewhere in 36 CFR – SEE AMENDMENT, BELOW

§2.5(a) Specimen collection (taking of plant, fish, wildlife, seeds, rocks, or minerals)

§2.12(a)(4) Operation of a public address system

§2.13(a)(1) Lighting or maintaining a fire

§2.17(c)(1) Removal of a downed aircraft

§2.37 Soliciting or demanding gifts, money goods or services

§2.50 Conducting a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events

§2.51 Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views

§2.52 Sale or distribution of printed material that is not solely commercial advertising

§2.62(b) Memorialization - (scattering ashes from human cremation)

§3.3 Use of a vessel

§5.1 Commercial Notices or Advertisements (display, posting or distribution.)

§5.3 Engaging in or soliciting any business (requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations)

§5.5(a) Commercial filming of motion pictures, television production, or sound tracks involving the use of professional casts, settings or crews, other than bona fide newsreel or news television

§5.5(b) Still photography of vehicles or other articles of commerce or models for the purpose of commercial advertising

§5.5(c) Use of commercial vehicles on parking lots

§5.7 Construction of buildings, facilities, trails, roads, boat docks, paths, structures, etc.

§5.10(a) Operation of eating, drinking, or lodging establishments within the Interpretive Center.

Protection of Plants and
Animals

36 CFR §2.1 – Preservation of natural, cultural and archeological resources

§2.1 (a)(5) No archeological or cultural resources may be walked on, climbed, entered, ascended or traversed including, but not limited to the Interpretive Center and outdoor structures within the boundaries of the site . Such activity causes damage to the resources of the Trail. Motorized vehicles other than lawn mowing equipment, emergency vehicles and maintenance vehicles are prohibited within 30 feet of the Interpretive Center (structure) and original “Tent City” area to ensure the protection of resources in this area. The operation of motorized vehicles within 30 feet of the original “Tent City” area has been found to damage the archeological resources of this Trail. Motorized vehicles other than lawn mowing equipment, emergency vehicles and maintenance vehicles are prohibited on the picnic area and Tent City area of the Interpretive Center site to ensure the protection of resources in this area.

§2.1 (b) Pedestrians are prohibited from entering flower or ground cover beds and pedestrian traffic is restricted to the established walkways near such flower or ground cover beds. Leaving the trail or walkway to shortcut between portions of the same trail or walkway, or to shortcut to an adjacent area is prohibited. Entering flower or ground cover beds and taking short cuts off of trail causes damage to the natural and cultural resources.

Visitors may not collect any plants, or parts thereof, which are listed on a Federal or State list of rare, threatened or endangered species.

Disturbing or damaging natural or cultural resources in any way to obtain fruits, nuts, berries, or leaves is prohibited (including fence climbing, climbing trees, breaking branches, pulling down vines, or other similar activities).

The collection of small quantities of fruits, nuts, berries or leaves will not adversely affect the natural reproduction of trees or plants or adversely impact wildlife. The collection of the listed fruits, nuts, berries and leaves has taken place within the Lowndes Interpretive Center grounds from its inception and has had no adverse effect on the resources.

36 CFR §2.2 - Wildlife protection

§2.2 (d) Lawfully taken wildlife may not be transported through the Lowndes Interpretive Center grounds.

§2.2 (e) Viewing of wildlife with the use of artificial light is prohibited within Lowndes Interpretive Center grounds.

Weapons, Traps, and Nets

36 CFR §2.4 – Weapons, traps, and nets

§2.4 (d)(3) A permit is required to possess a weapon, trap or net except as provided elsewhere in 36 CFR§2.4. The Historic Trail will only issue a permit to carry or possess a weapon, trap or net for employees, agents or cooperating officials for official duty purposes.

Amended 36 CFR 2.4(h)

(h)Notwithstanding any other provision In this chapter, a person may possess, carry, and transport concealed loaded, and operable firearms within a national Trail area in accordance with the laws of the state in which the national Trail area, or that portion thereof, is located except as otherwise prohibited by applicable Federal law. Weapons and firearms are not permitted within the Interpretive Center.

Camping, Picnicking, and General Noise

36 CFR §2.10 – Camping and food storage

§2.10 (a) Camping is prohibited on the Lowndes Interpretive Center grounds (as permitted).

36 CFR §2.11 – Picnicking

§2.11 (a) Picnicking is allowed on the grounds of the Lowndes Interpretive Center as designated.

36 CFR §2.12 – Audio disturbances

§2.12(4) Lowndes Interpretive Center has established an audio disturbance guideline to govern the volume of public address systems used in conjunction with public gatherings or special events for which a permit has been issued pursuant to §2.50 or §2.51, in order to prevent such public address systems from interfering with visitor use activities, and Trail neighbors. Audio amplification that interferes with visitor use activities such as interpretive presentations or makes noise which is unreasonably disruptive, considering the nature and purpose of the actor's conduct, location, time of day or night, purpose for which the Historic Trail was established, impact on visitors, and other factors that.

would govern the conduct of a reasonably prudent person under the circumstances, is prohibited

Fires

36 CFR §2.13 – Fires

§2.13 (a)(1) The lighting or maintaining of fires is prohibited except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51 which specifically authorizes such activity under the special conditions section of the permit or as outlined below. A fire is any type of open fire, other than a match or lighter, including, but not limited to, burning of candles, flags & effigies, campfires, charcoal fires, propane stoves, Coleman stoves, etc. If candles are permitted pursuant to a permit issued under §2.50 or §2.51 all wax must be caught and disposed of in appropriate trash receptacles.

Gas grills may be used in designated picnic areas. No ground fires or other fires are permitted in picnic areas. Picnic areas are designated by the presence of provided picnic tables.

§2.13 (b) All fires must be extinguished (source of fuel and heat removed) and cool to the touch before leaving the area. §2.13 (c) If the Superintendent determines high or extreme fire conditions exist the Trail may be closed to all fires.

36 CFR §2.14 – Sanitation and refuse

§2.14 (a)(2) The use of government refuse receptacles or facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property is prohibited. Recyclable containers for paper, glass bottles, plastics, and aluminum cans are available at the Lowndes Interpretive Center for public use.

Pets

36 CFR §2.15 – Pets

§2.15 (a)(1) Pets are prohibited in the Interpretive Center. This restriction is intended to reduce possible conflict between users, protect the natural and cultural resources, and to address public health and safety concerns. In addition to the exceptions to pet prohibitions noted in 36 CFR§2.15, the following additional exceptions are granted:

- For service animals accompanying persons with a physical or mental disability for the purposes of enabling mobility, warning of hazards, or alerting to medical emergencies, regardless of the disability requiring the use of a service animal.
- For Search and Rescue Dogs in the conduct of legitimate work.
- For horses used by authorized Federal, State, or local law enforcement officers in the performance of their official duties.
- Pets are permitted on trail walkways, but must be on a leash and under the immediate control of the pet's owner at all times.

§2.15 (a)(3) Pets may not be left tied to an object or unattended. Pets may not be permitted to run freely.

§2.15 (a)(5) Any person having possession, custody or control of any pet which defecates in any area of the Lowndes Interpretive Center shall immediately remove the feces and either:

- Remove the feces from the property, or
- Place the feces in a non-leaking container for deposit in trash or litter receptacles.

36 CFR §2.16 – Horses and pack animals

§2.16 (b) The use of horses or pack animals within the Historic Trail is prohibited.

Unmanned Aircraft

36 CFR §1.5 Unmanned Aircraft Definition

The term “unmanned aircraft” means a device that is used or intended to be used for flight in the air without the possibility of direct human interventions from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quad copters, drones) that are used for any purposed, including for recreation or commerce.

36 CFR §2.17 – Aircraft and air delivery

§2.17 (a)(1) Operating or using aircraft on lands or waters within the Lowndes Interpretive Center grounds is prohibited except for official emergency aircraft in emergency situations.

§2.17 (a)(3) Delivering or retrieving a person or object by parachute, helicopter, or other airborne means, except in an emergency involving public safety or serious property loss is prohibited.

§2.17 (c)(1) The removal of a downed aircraft, components, or parts thereof is allowed, subject to written authorizations from the Superintendent prior to the removal which will set forth the date the removal will be completed, the times and means of accessing the downed aircraft, and the manner and method of removal.

Skateboards and the Like

36 CFR §2.20 – Skating, skateboards and similar devices

§2.20 The use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited within the Historic Trail.

Smoking

36 CFR §2.21 – Smoking

§2.21 (a) The following portions of the Interpretive Centers, or all or portions of buildings, structures or facilities are closed to smoking:

- Inside all Interpretive Center structures and interior spaces.
- Within ten feet of air intake ducts and building ventilation systems.
- Within ten feet of entrances to Interpretive Center structures and interior spaces.

Executive Order 13058 – Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace – prohibits, with limited

exceptions, the smoking of tobacco products in all interior space owned, rented, or leased by the Executive branch of the Federal Government, and in any outdoor areas under Executive branch control in front of air intake ducts. The restrictions above are intended to reduce any possible conflict between users and the harmful effects of second hand smoke, reduce the risk of fire, and protect Historic Trail resources.

36 CFR §2.22 – Property

§2.22 (a)(2) Property may not be left unattended at the Interpretive Center for over 24 hours without a permit issued by the Superintendent. To ensure the security of Trail visitors, employees and resources, no items may be left unattended within the Historic Trail’s Interpretive Center, grounds, picnic structures or Maintenance facility.

Alcoholic Beverages

36 CFR §2.35 – Alcoholic beverages and controlled substances

§2.35 (a)(3)(i) The public use areas within the Historic Trail are closed to the consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

The consumption of alcoholic beverages is prohibited in the administrative headquarters and information center, administrative offices, and visitor contact stations except under the terms and conditions of a permit issued by the Superintendent.

36 CFR §2.37 – Noncommercial soliciting

§2.37 The solicitation or demand for gifts, money, goods or services requires a permit under §2.50, §2.51, or §2.52, and is subject to the terms and conditions specified therein. The term “soliciting” includes asking, begging and non-verbal gestures, such as a hand out or palm up. [48 FR 30271, June 30, 1983]

Special Events, Filming, Public Assemblies, Meetings

36 CFR §2.51(e) – Public assemblies, meetings

§2.51 The Superintendent has designated the Historic Trail’s Public Assemblies areas as the First Amendment Areas. These areas are designated and available at the Interpretive Center locations.

Due to the small size of the Interpretive Centers, public visitation, highly sensitive natural and cultural resources, and narrow and specific mission and purpose, no other areas immediately within the Interpretive Centers authorized boundaries can reasonably support Public Assemblies or Meetings without unduly impairing the atmosphere of peace and tranquility required by the Historic Trail’s legislation, impairing the operations of the Historic Trail’s Interpretive Center or other visitor services (i.e. interpretive programs, etc.), causing damage to Trail resources, or posing public safety risks due to limiting visitors’ ability to move around the centers freely. No other Public assembly areas are designated.

Distribution of Printed Matter

36 CFR §2.522.52(e) – Sale or distribution of printed matter

§2.52 The Superintendent has designated the Historic Trail's areas available for the sale or distribution of printed matter as the First Amendment Areas. These areas are designated and available at the Interpretive Center locations.

Due to the small size of the Interpretive Centers, public visitation, highly sensitive natural and cultural resources, and narrow and specific mission and purpose, no other areas immediately within the Interpretive Centers authorized boundaries can reasonably support Public Assemblies or Meetings without unduly impairing the atmosphere of peace and tranquility required by the Historic Trail's legislation, impairing the operations of the Historic Trail's Interpretive Center or other visitor services (i.e. interpretive programs, etc.), causing damage to Trail resources, or posing public safety risks due to limiting visitors' ability to move around the centers freely. No other Public assembly areas are designated.

36 CFR §2.61 – Residing on federal land

§2.61 (a) Absent a permit, lease or contract, residing in Historic Trail areas on other than private land, is prohibited. (N/A)

Memorialization

36 CFR §2.62 – Memorialization

§2.62 (a) Authorization from the Superintendent is required to install a monument, memorial, tablet, structure, or other commemorative installation.

§2.62 (b) A permit is required for the scattering of ashes from cremated human remains in any area of the Interpretive Center grounds. In general, permits to scatter the ashes from cremated human remains will not be permitted.

Vehicle and Traffic Safety

36 CFR §4.10 – Travel on Trail roads and routes

§4.10 (a) Only designated roads within the Historic Trail are open for travel by motor vehicle.

§4.10 (b) No routes or areas are open for off-road vehicle travel. §4.10 (c)(1) Track-laying motor vehicles, or other motor vehicles equipped with a similar traction device may not be operated within the Interpretive Center grounds.

36 CFR §4.21 – Speed limits

§4.21 (a)(1) The speed limit within the Historic Trail's boundaries are as listed unless otherwise authorized:

- U.S. Highway 80- Posted per Manual on Uniform Traffic Control Devices

Bicycles

36 CFR §4.30 – Bicycles

§4.30 (a) Only roads and trailing areas are open to bicycle use. Bicycle use on Historic Trail walkways is prohibited. "Use of a bicycle" means the riding or mechanical operation of such equipment. Bicycles may be walked through the Interpretive Center grounds, but must be dismounted and attended by the owner. These restrictions are intended to prevent conflict between users and hazardous conditions resulting from inconsistent recreational uses.

The following exception granted: Bicycles used by authorized Federal, State, or local law enforcement officers in the performance of their official duties.

Where Does This
Compendium Apply and Who
Can Enforce It?

The regulations contained in this Compendium apply to all persons entering, using, visiting, or otherwise within the boundaries of federally owned or administered lands and waters as part of Selma to Montgomery National Historic Trail.

Only NPS Staff and Commissioned Park Rangers can enforce the requirements of the United States Code, CFR Titles, and this Superintendent's Compendium. However, many Federal laws and regulations have similar statutes found in State and local law. Many of the requirements of this Compendium complement existing State and local law enforcement officers.

What Are the Penalties for Not
Adhering to These
Requirements?

A person who violates any provision of the regulations found in 36 CFR Part 1-7, along with this compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment no exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings.

Comments and Questions

The park welcomes comments about its programs and activities at any time. Comments specific to the Superintendent's Compendium will be accepted at any time. Any changes to this Compendium recommended by the public or others and accepted by the Superintendent will be incorporated into this document without further public comment and review.

The compendium is available online at <http://www.nps.gov/semo>.

